



**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

IMPROVED DIETARY FIBER CONTAINING MATERIALS COMPRISING

LOW MOLECULAR WEIGHT GLUCAN

the specification of which (check one)

       is attached hereto.

  X   was filed on April 2, 2004 as United States Application Number 10/817,643.

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or

inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/460,758	April 2, 2003

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents:

---

LAWRENCE A. CHALETISKY	Reg. No.	24,558
PAULA A. DEGRANDIS	Reg. No.	43,581
DANIEL J. ENEBO	Reg. No.	42,512
HARRY J. GWINNELL	Reg. No.	29,000
EDWARD L. LEVINE	Reg. No.	28,097
GRACE P. MALILAY	Reg. No.	37,669
SCOTT T. PIERING	Reg. No.	42,075
SCOTT PRIBNOW	Reg. No.	43,869
PETER M. REYES, JR.	Reg. No.	47,020
JEFFREY J. SKELTON	Reg. No.	42,152
CHRISTOPHER M. TUROSKI	Reg. No.	44,456
DAVID J. UNTENER	Reg. No.	27,963
EDNA VASSILOVSKI	Reg. No.	42,198

---

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

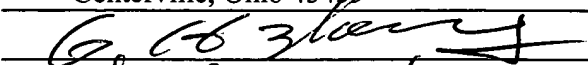
I request that all correspondence be directed to:

Edna Vassilovski, Esq.  
CARGILL, INCORPORATED  
Law Department  
P.O. Box 5624  
Minneapolis, MN 55440-5624

Registration No. 42,198  
Telephone: (952) 742-1702  
Facsimile: (952) 742-6349

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	ZHENG, Guo-Hua
Residence	Centerville, Ohio
Citizenship	Canada
Post Office Address	6653 Crossbrook Drive Centerville, Ohio 45459
Inventor's signature	
Date	July 6, 2004

Name of second inventor	HESS, Richard K.
Residence	Chanhassen, Minnesota
Citizenship	United States of America
Post Office Address	8561 Mission Hills Lane Chanhassen, Minnesota 55317
Inventor's signature	
Date	

Name of third inventor	KHARE, Anil B.
Residence	Crystal, Minnesota
Citizenship	United States of America
Post Office Address	5222 Unity Court North Crystal, Minnesota 55429
Inventor's signature	
Date	

Name of fourth inventor	HILBERT, Brent
Residence	South Haven, Minnesota
Citizenship	United States of America
Post Office Address	6505 Hidden Lane South Haven, Minnesota 55382
Inventor's signature	
Date	

Name of fifth inventor	DEGUISE, Matt
Residence	Wayzata, Minnesota
Citizenship	United States of America
Post Office Address	412 Wayzata Blvd. #103 Wayzata, Minnesota 55391
Inventor's signature	
Date	

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

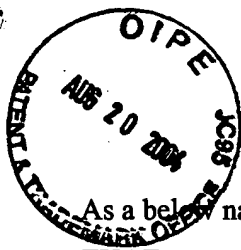
A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



**DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

IMPROVED DIETARY FIBER CONTAINING MATERIALS COMPRISING

LOW MOLECULAR WEIGHT GLUCAN

the specification of which (check one)

       is attached hereto.

  X   was filed on April 2, 2004 as United States Application Number 10/817,643.

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or

inventor's certificate or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date
60/460,758	April 2, 2003

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number

I HEREBY APPOINT the following registered attorneys and agents:

LAWRENCE A. CHALETISKY	Reg. No. 24,558
PAULA A. DEGRANDIS	Reg. No. 43,581
DANIEL J. ENEBO	Reg. No. 42,512
HARRY J. GWINNELL	Reg. No. 29,000
EDWARD L. LEVINE	Reg. No. 28,097
GRACE P. MALILAY	Reg. No. 37,669
SCOTT T. PIERING	Reg. No. 42,075
SCOTT PRIBNOW	Reg. No. 43,869
PETER M. REYES, JR.	Reg. No. 47,020
JEFFREY J. SKELTON	Reg. No. 42,152
CHRISTOPHER M. TUROSKI	Reg. No. 44,456
DAVID J. UNTENER	Reg. No. 27,963
EDNA VASSILOVSKI	Reg. No. 42,198

to have full power to prosecute this application and any continuations, divisions, reissues, and reexaminations thereof, to receive the patent, and to transact all business in the United States Patent and Trademark Office connected therewith.

I request that all correspondence be directed to:

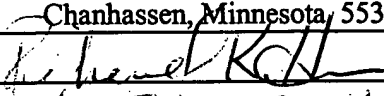
Edna Vassilovski, Esq.  
CARGILL, INCORPORATED  
Law Department  
P.O. Box 5624  
Minneapolis, MN 55440-5624


Registration No. 42,198  
Telephone: (952) 742-1702  
Facsimile: (952) 742-6349

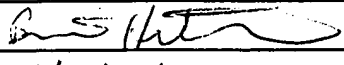
I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

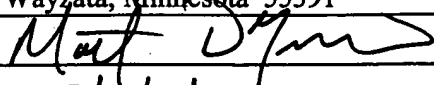
I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor	ZHENG, Guo-Hua
Residence	Centerville, Ohio
Citizenship	Canada
Post Office Address	6653 Crossbrook Drive Centerville, Ohio 45459
Inventor's signature	
Date	

Name of second inventor HESS, Richard K.  
Residence Chanhassen, Minnesota  
Citizenship United States of America  
Post Office Address 8561 Mission Hills Lane  
Chanhassen, Minnesota, 55317  
Inventor's signature   
Date 6 July 2004

Name of third inventor KHARE, Anil B.  
Residence Crystal, Minnesota  
Citizenship United States of America  
Post Office Address 5222 Unity Court North  
Crystal, Minnesota 55429  
Inventor's signature   
Date 7/6/04

Name of fourth inventor HILBERT, Brent  
Residence South Haven, Minnesota  
Citizenship United States of America  
Post Office Address 6505 Hidden Lane  
South Haven, Minnesota 55382  
Inventor's signature   
Date 7/7/04

Name of fifth inventor DEGUISE, Matt  
Residence Wayzata, Minnesota  
Citizenship United States of America  
Post Office Address 412 Wayzata Blvd. #103  
Wayzata, Minnesota 55391  
Inventor's signature   
Date 7/7/04

## § 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby appoint:

☒ Practitioners associated with the Customer Number:**38550**

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

As attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b)

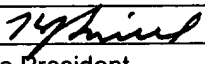
Assignee Name and Address:

**CARGILL, INCORPORATED**  
15407 McGinty Road West  
Wayzata, Minnesota 55391

**A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.**

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee.

Name	Harry J. Gwinell		
Signature		Date	2 July 2004
Title	Vice President	Telephone	(952) 742-5399

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Cargill, Incorporated

Application No./Patent No.: 10/817,643 Filed/Issue Date: April 2, 2004

Entitled: IMPROVED DIETARY FIBER CONTAINING MATERIALS COMPRISING LOW MOLECULAR WEIGHT GLUCAN

Cargill, Incorporated, a corporation

States that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_

In the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above ☐ was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or ☒ for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below.

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

 Reg No 92, 198  
Signature

AUGUST 17 2004  
Date

Edna Vassilovski  
Signature

(952) 742-1702  
Phone Number

Attorney  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

ASSIGNMENT

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, to my (our) full satisfaction, I (we),

Guo-Hua ZHENG, 6653 Crossbrook Drive, Centerville, Ohio 45459  
Richard K. HESS, 8561 Mission Hills Lane, Chanhassen, Minnesota 55317  
Anil B. KHARE, 5222 Unity Court North, Crystal, Minnesota 55429  
Brent HILBERT, 6505 Hidden Lane, South Haven, Minnesota 55382  
Matt DEGUISE, 412 Wayzata Blvd. #103, Wayzata, Minnesota 55391

hereby sell and assign to CARGILL, INCORPORATED, a Delaware corporation having its principal place of business at 15407 McGinty Road West, Wayzata, Minnesota 55391, the entire right, title and interest, in the United States and all territories thereof and in all foreign countries, in and to all the inventions in:

IMPROVED DIETARY FIBER CONTAINING MATERIALS COMPRISING LOW MOLECULAR WEIGHT GLUCAN
---

[ ] for which an application for a United States Patent is being filed contemporaneously herewith;  
[X] U.S. Application Serial Number 10/817,643, filed April 2, 2004  
[ ] identified as International Patent Application Serial No. PCT/ / and filed on

and naming me (us) as inventor(s); and the entire right, title and interest in and to said application and all original and reissue patents granted for any of said inventions, and all divisions and continuations of said application and patents granted thereon, and all applications for any of said inventions filed in countries foreign to the United States and patents granted thereon, including the subject matter of any and all claims which may be obtained in all such patents; and the right to apply for and obtain patents in countries foreign to the United States including the right to claim for any foreign application the benefits of any convention including but not limited to the International Convention for the protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purpose including the right to claim priority in accordance with such convention, and any other benefits available through the laws of these foreign countries with respect to patent applications as fully and entirely as I (we) could claim such benefits; and the right to file applications for patents and otherwise to apply for and obtain any patents for said inventions in its own name in any country.

And I (we) hereby covenant that I (we) have full right to convey the entire interest herein assigned, and that I (we) have not executed and will not execute any agreement in conflict herewith; and I (we) agree that I (we) will communicate to CARGILL, INCORPORATED all facts known to my (our) respecting said invention whenever requested by it, and will execute all instruments or documents requested by it for the filing and prosecution of applications for Letters Patent of the United States of America and all foreign countries on said invention, or in connection with litigation regarding said invention, or for the purpose of protecting title to said Invention or Letters Patent therefore in the United States or foreign countries and will testify in any legal proceedings relating thereto, at the


request of CARGILL INCORPORATED, all without further or other compensation than that above set forth, but otherwise at the cost of CARGILL, INCORPORATED.

And I (we) further covenant and agree that if and when CARGILL, INCORPORATED desires to file a disclaimer relating to said inventions in the United States or any foreign country, I (we) will, upon its request, sign and deliver all papers requisite for the filing of such disclaimer.

And I (we) authorize and request the Commissioner of Patents and Trademarks of the United States to issue the said Letters Patent to CARGILL, INCORPORATED, as assignee and owner of the said entire interest.

This Assignment shall ensure to the benefit of the successors and assigns of CARGILL, INCORPORATED.

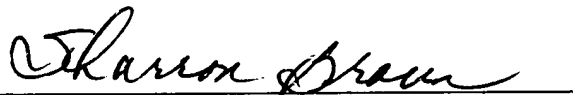
Inventor: Guo-Hua ZHENG  
Post Office: 6653 Crossbrook Drive  
Centerville, Ohio 45459  
United States of America  
Citizenship: Canada

Signed 

Dated July 6, 2004

STATE OF Ohio  
COUNTY OF Montgomery <sup>SS.</sup>

Before me personally appeared the above-named inventor, Guo-Hua ZHENG, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: 7-6-04   
Notary Public

SHARRON BRAUN  
NOTARY PUBLIC, STATE OF OHIO  
MY COMMISSION EXPIRES 06-02-08

Inventor: Richard K. HESS  
Post Office: 8561 Mission Hills Lane  
Chanhassen, Minnesota 55317  
United States of America  
Citizenship: United States of America

Signed \_\_\_\_\_

Dated \_\_\_\_\_

STATE OF \_\_\_\_\_)

ss.

COUNTY OF \_\_\_\_\_)

Before me personally appeared the above-named inventor, Richard K. HESS, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: \_\_\_\_\_

Notary Public

Inventor: Anil B. KHARE  
Post Office: 5222 Unity Court North  
Crystal, Minnesota 55429  
United States of America  
Citizenship: United States of America

Signed \_\_\_\_\_

Dated \_\_\_\_\_

STATE OF \_\_\_\_\_)

ss.

COUNTY OF \_\_\_\_\_)

Before me personally appeared the above-named inventor, Anil B. KHARE, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: \_\_\_\_\_

Notary Public

Inventor: Brent HILBERT  
Post Office: 6505 Hidden Lane  
South Haven, Minnesota 55382  
United States of America  
Citizenship: United States of America

Signed \_\_\_\_\_

Dated \_\_\_\_\_

STATE OF \_\_\_\_\_)

ss.

COUNTY OF \_\_\_\_\_)

Before me personally appeared the above-named inventor, Brent Hilbert, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: \_\_\_\_\_

Notary Public

Inventor: Matt DEGUISE  
Post Office: 412 Wayzata Blvd. #103 Wayzata,  
Minnesota 55391  
United States of America  
Citizenship: United States of America

Signed \_\_\_\_\_

Dated \_\_\_\_\_

STATE OF \_\_\_\_\_)

ss.

COUNTY OF \_\_\_\_\_)

Before me personally appeared the above-named inventor, Matt DEGUISE, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: \_\_\_\_\_

Notary Public

ASSIGNMENT

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, to my (our) full satisfaction, I (we),

Guo-Hua ZHENG, 6653 Crossbrook Drive, Centerville, Ohio 45459  
Richard K. HESS, 8561 Mission Hills Lane, Chanhassen, Minnesota 55317  
Anil B. KHARE, 5222 Unity Court North, Crystal, Minnesota 55429  
Brent HILBERT, 6505 Hidden Lane, South Haven, Minnesota 55382  
Matt DEGUISE, 412 Wayzata Blvd. #103, Wayzata, Minnesota 55391

hereby sell and assign to CARGILL, INCORPORATED, a Delaware corporation having its principal place of business at 15407 McGinty Road West, Wayzata, Minnesota 55391, the entire right, title and interest, in the United States and all territories thereof and in all foreign countries, in and to all the inventions in:

IMPROVED DIETARY FIBER CONTAINING MATERIALS COMPRISING  
LOW MOLECULAR WEIGHT GLUCAN

[ ] for which an application for a United States Patent is being filed contemporaneously herewith;  
[X] U.S. Application Serial Number 10/817,643, filed April 2, 2004  
[ ] identified as International Patent Application Serial No. PCT/ / and filed on

and naming me (us) as inventor(s); and the entire right, title and interest in and to said application and all original and reissue patents granted for any of said inventions, and all divisions and continuations of said application and patents granted thereon, and all applications for any of said inventions filed in countries foreign to the United States and patents granted thereon, including the subject matter of any and all claims which may be obtained in all such patents; and the right to apply for and obtain patents in countries foreign to the United States including the right to claim for any foreign application the benefits of any convention including but not limited to the International Convention for the protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purpose including the right to claim priority in accordance with such convention, and any other benefits available through the laws of these foreign countries with respect to patent applications as fully and entirely as I (we) could claim such benefits; and the right to file applications for patents and otherwise to apply for and obtain any patents for said inventions in its own name in any country.

And I (we) hereby covenant that I (we) have full right to convey the entire interest herein assigned, and that I (we) have not executed and will not execute any agreement in conflict herewith; and I (we) agree that I (we) will communicate to CARGILL, INCORPORATED all facts known to my (our) respecting said invention whenever requested by it, and will execute all instruments or documents requested by it for the filing and prosecution of applications for Letters Patent of the United States of America and all foreign countries on said invention, or in connection with litigation regarding said invention, or for the purpose of protecting title to said Invention or Letters Patent therefore in the United States or foreign countries and will testify in any legal proceedings relating thereto, at the

request of CARGILL INCORPORATED, all without further or other compensation than that above set forth, but otherwise at the cost of CARGILL, INCORPORATED.

And I (we) further covenant and agree that if and when CARGILL, INCORPORATED desires to file a disclaimer relating to said inventions in the United States or any foreign country, I (we) will, upon its request, sign and deliver all papers requisite for the filing of such disclaimer.

And I (we) authorize and request the Commissioner of Patents and Trademarks of the United States to issue the said Letters Patent to CARGILL, INCORPORATED, as assignee and owner of the said entire interest.

This Assignment shall ensure to the benefit of the successors and assigns of CARGILL, INCORPORATED.

Inventor: Guo-Hua ZHENG  
Post Office: 6653 Crossbrook Drive  
Centerville, Ohio 45459  
United States of America  
Citizenship: Canada

Signed \_\_\_\_\_

Dated \_\_\_\_\_

STATE OF \_\_\_\_\_)

ss.

COUNTY OF \_\_\_\_\_)

Before me personally appeared the above-named inventor, Guo-Hua ZHENG, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: \_\_\_\_\_

Notary Public

Inventor: Richard K. HESS  
Post Office: 8561 Mission Hills Lane  
Chanhassen, Minnesota 55317  
United States of America  
Citizenship: United States of America

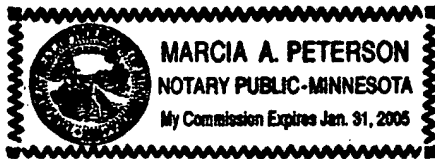
Signed Richard K. HESS

Dated 7 July 2004

STATE OF Minnesota  
COUNTY OF Hennepin ss.

Before me personally appeared the above-named inventor, Richard K. HESS, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: 6 July 04 Marcia Peterson  
Notary Public



Inventor: Anil B. KHARE  
Post Office: 5222 Unity Court North  
Crystal, Minnesota 55429  
United States of America  
Citizenship: United States of America

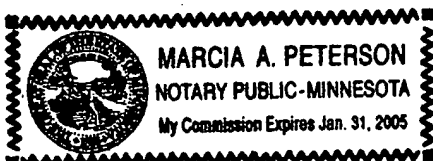
Signed Anil B. Khare

Dated 7/06/04

STATE OF Minnesota  
COUNTY OF Hennepin ss.

Before me personally appeared the above-named inventor, Anil B. KHARE, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: 6 July 04 Marcia Peterson  
Notary Public



Inventor: Brent HILBERT  
Post Office: 6505 Hidden Lane  
South Haven, Minnesota 55382  
United States of America  
Citizenship: United States of America

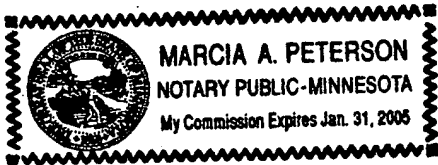
Signed Brent Hilbert

Dated 7/7/04

STATE OF Minnesota  
COUNTY OF Hennepin SS.

Before me personally appeared the above-named inventor, Brent Hilbert, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: 7 July 04 Marcia Peterson  
Notary Public



Inventor: Matt DEGUISE  
Post Office: 412 Wayzata Blvd. #103 Wayzata,  
Minnesota 55391  
United States of America  
Citizenship: United States of America

Signed Matt Deguise

Dated 7/7/04

STATE OF Minnesota  
COUNTY OF Hennepin SS.

Before me personally appeared the above-named inventor, Matt DEGUISE, who acknowledged the execution of the foregoing instrument as his/her/their free act and deed.

Date: 7 July 04 Marcia Peterson  
Notary Public

